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MAIL STOP PCT

Attorney Docket: 26965U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: Unknown  
BUND SCHUH, et al. Examiner: Unknown  
Filed: September 21, 2005 Attorney: GMN/SMM  
Application No.: 10/550,192  
Internatl. Appl. No.: PCT/EP2004/050376  
Internatl. Filing Date: 26 March 2004 (26.03.2004)

Title: **SYNERGISTIC COMBINATION COMPRISING ROFLUMILAST AND AN ANTICHOLINERGIC AGENT SELECTED FROM IPRATROPIUM, OXITROPIUM AND TIOTROPIUM SALTS FOR THE TREATMENT OF RESPIRATORY DISEASES**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

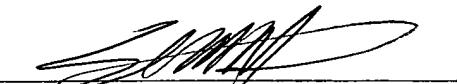
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 10 cited references;
- 3) Copies of 4 of the 10 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Date: December 7, 2005 Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

  
Gary M. Nath  
Reg. No. 26,965  
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GMN/SMM/JP (IDS)



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RESPIRATORY DISEASES

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:  
[ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
[ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113,

or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

[ ] Certification report(e) below; and

[ ] a check in the amount as required by 1.17(p).

[ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Date: December 7, 2005      Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By: 

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GMN/SMM/JP      (IDS.STATEMENT)



FORM PTO-1449

## INFORMATION DISCLOSURE CITATION

In re Application of:  
BUNDSCUH, et al.Art Unit:  
UnknownApplication No:  
10/550,192Examiner:  
UnknownFiled:  
September 21, 2005

## U. S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1	2002/0052312 A1	05/02/2002	REISS, et al.	05/29/2001
	A2	2004/0180918 A1	09/16/2004	KNOWLES et al.	07/25/2002
	A3	2004/0147544 A1	07/29/2004	YEADON et al.	05/24/2002
	A4	2002/0193393 A1	12/19/2002	PAIRET et al.	03/07/2002
	A5	2005/0107420 A1	05/19/2005	ARMSTRONG et al.	11/17/2003
	A6	2004/0024007 A1	02/05/2004	PAIRET et al.	07/03/2003

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Translation
	03/011274 A2 Corresponding US app. (US 2004/0180918)	02/13/2003	WIPO	N/A
	02/096463 A1 Corresponding US app. (US 2004/0147544)	12/05/2002	WIPO	N/A
	02/096423 A2 Corresponding US app. (US 2005/0107420)	12/05/2002	WIPO	N/A
	02/069945 A2 Corresponding US app(s) (US 2002/0193393 A1 And 2004/0024007 A1)	09/12/2002	WIPO	ABSTRACT

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

A11		
A12		
A13		
A14		

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	